

Docket No.: 00124-01087  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Ian Craig Barkhouse

Conf. No.: 4980

Application No.: 10/710,981

Group Art Unit: 3673

Filed: August 16, 2004

Examiner: Not Yet Assigned

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For: COLLAPSIBLE MATTRESS BORDER  
CONSTRUCTION AND METHOD

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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed September 17, 2004 (enclosed herewith), Applicant respectfully submits Combined Declaration and Power of Attorney.

Also enclosed is an Information Disclosure Statement.

Application No.: 10/710,981-Conf. #4980

Docket No.: 00124-01087

We authorize the Director to charge the \$130.00 fee to our Deposit Account No. 03-2775. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 00124-01087-US. A duplicate copy of this paper is enclosed.

Dated: October 26, 2004

Respectfully submitted,

By 

Patricia Smink Rogowski

Registration No.: 33,791

CONNOLLY BOVE LODGE &amp; HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

(302) 658-9141

(302) 658-5614 (Fax)

Attorney for Applicant

Enclosure:

Missing Parts Notice

Combined Declaration and Power of Attorney

Information Disclosure Statement



## FAX TRANSMISSION

**DATE:** October 26, 2004

**PTO IDENTIFIER:** Application Number 10/710,981-Conf. #4980  
Patent Number

**Inventor:** Ian C. Barkhouse

**MESSAGE TO:** US Patent and Trademark Office

**FAX NUMBER:** (703) 746-4060

**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Patricia Smink Rogowski

**PHONE:** (302) 658-9141

**Attorney Dkt #:** 00124-01087-US

**PAGES (Including Cover Sheet):** 14

**CONTENTS:**

Fee Transmittal (1 page);  
Copy of Notice to File Missing Parts (2 pages);  
Declaration and POA for Patent Application (4 pages);  
Response to Notice to File Missing Parts of Application (2 pages);  
IDS (Citation) by Applicant (15 References) (1 page);  
Information Disclosure Statement (2 pages);  
Certificate of Transmission under 37 CFR 1.8 (1 page); and  
Charge \$130.00 to deposit account 03-2775.

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (302) 658-9141 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

CONNOLLY BOVE LODGE & HUTZ LLP  
1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899  
Telephone: (302) 658-9141 Facsimile: (302) 658-5614

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OCT 27 2004  
U.S. PATENT & TRADEMARK OFFICE



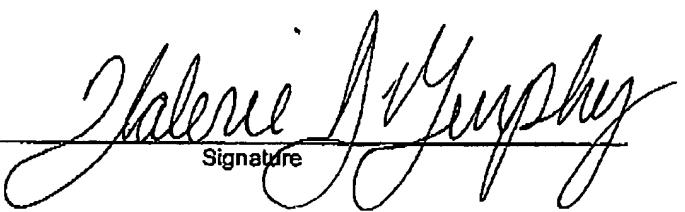
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
Application No. 10/710,981-Conf. #4980

PTO/SB/97 (12-97)  
Approved for use through 9/30/00. OMB 0651-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Attorney Docket No. 00124-01087-US

## Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office 703/746-4060

on October 26, 2004  
Date

  
Signature

Valerie J. Murphy  
Typed or printed name of person signing Certificate

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fee Transmittal (1 page);  
Copy of Notice to File Missing Parts (2 pages);  
Declaration and POA for Patent Application (4 pages);  
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IDS (Citation) by Applicant (15 References) (1 page);  
Information Disclosure Statement (2 pages); and  
Charge \$130.00 to deposit account 03-2775.



PTO/SB/17 (10-04v2)  
Approved for use through 7/31/2008. OMB 0651-0092  
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## FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 130.00)

### Complete if Known

Application Number	10/710,981-Conf. #4980
Filing Date	August 16, 2004
First Named Inventor	Ian C. Barkhouse
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	00124-01087-US

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

#### X Deposit Account:

Deposit Account Number: 03-2775  
Deposit Account Name: Connolly Bove Lodge & Hutz LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayment(s)  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION (continued)

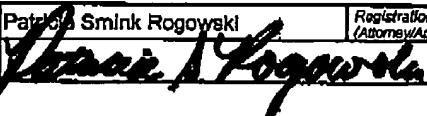
#### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	130.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2462 65	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 860	2503 330	Plant issue fee	
1480 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(g))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
SUBTOTAL (1) (\$ 0.00)		Reduced by Basic Filing Fee Paid	SUBTOTAL (3) (\$ 130.00)

\*or number previously paid, if greater. For Reissues, see above

#### SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Patricia Smink Rogowski	Registration No. (Attorney/Agent)	33,791	Telephone	(302) 658-9141
Signature				Date	October 26, 2004



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/710,981	08/16/2004	Ian Barkhouse	00124-01087-US

23416  
 CONNOLLY BOVE LODGE & HUTZ, LLP  
 P O BOX 2207  
 WILMINGTON, DE 19899

## CONFIRMATION NO. 4980

## FORMALITIES LETTER



\*OC000000013834681\*

Date Mailed: 09/17/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

OCT. 26. 2004 5:10PM

NO. 4337 P. 14 of 2

*D. Fuday*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY